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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

RADAGAST PET FOOD, INC., an
Oregon corporation,

Plaintiff,

v.

CENTINELA FEED, INC., a
California corporation, and **THE**
LOTUS PET FOOD, INC., a
California corporation,

Defendants.

Case No. 3:19-cv-01467-JR

Defendants Centinela Feed, Inc.'s and The Lotus
Pet Food, Inc.'s
**FIRST INTERROGATORIES TO
PLAINTIFF**

Defendants Centinela Feed, Inc. and The Lotus Pet Food, Inc. ("Defendants"), by and through their undersigned counsel, and pursuant to Fed. R. Civ. P. 33, request Plaintiff Radagast Pet Food, Inc. ("Plaintiff or Radagast") answer, under oath, each of the following interrogatories within thirty (30) days from the date of service.

DEFINITIONS AND INSTRUCTIONS

Defendants hereby incorporate the Definitions and Instructions contained in Defendants First Requests for Production to Plaintiff, served contemporaneously herewith, as if set forth in full herein.

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INTERROGATORIES

INTERROGATORY NO. 1: Identify all persons who have, claim to have, or who You believe may have knowledge, documents, or information relating to the exchange of information under the Nondisclosure Agreement executed on October 25, 2018 (the “NDA”)

ANSWER:

INTERROGATORY NO. 2: Describe in detail and with specificity what You claim is Radagast Confidential Information that was exchanged under the NDA.

ANSWER:

INTERROGATORY NO. 3: Describe in detail the circumstances surrounding Radagast’s business position in the months leading up to the NDA, including Your attempts to look for investors or partners, who You solicited for possible investment or partnership, and what feedback you received from each individual or entity propositioned to partner or invest in You.

ANSWER:

INTERROGATORY NO. 4: Describe in detail every lawsuit or claim filed against other individuals or entities who entered into a Nondisclosure Agreement with You from 2015 to present, including but not limited to the nature of the issue, the jurisdiction in which the claim was filed, and the entities involved.

ANSWER:

INTERROGATORY NO. 5: Describe in detail each teleconference you had with representatives of either Centinela or Lotus, including who was involved and what information was exchanged.

ANSWER:

INTERROGATORY NO. 6: Describe in detail the circumstances surrounding Your inquiry, on or about October 2018, about a potential investment in and/or asset purchase of Radagast, including but not limited to why you made such inquiry and how you made such inquiry.

ANSWER:

INTERROGATORY NO. 7: Describe in detail the circumstances surrounding your decision to seek potential investment in and/or the asset purchase of Radagast prior to October 25, 2018, including but not limited to: (a) the person(s) involved in making that decision; (b) the reasons for seeking investment or sale of Radagast or its assets; and (c) Your reasons for the decision.

ANSWER:

INTERROGATORY NO. 8: Other than the NDA, describe in detail what steps You took to protect Radagast Confidential Information from being publicly available from 2017 to present.

ANSWER:

INTERROGATORY NO. 9: Identify all person(s) who attended or participated in the March 22-22, 2019 Global Pet Expo trade show in Florida (the "Trade Show"), including: (1) each person's duties and activities; (2) the reasons for their attendance; (3) who, if known, discussed the Lotus raw cat food product; and (4) what was conveyed by such person regarding the Lotus raw cat food product. Please answer this even in the event the person who made such statements is unknown.

ANSWER:

INTERROGATORY NO. 10: Identify the actual and substantiated damages You have sustained on account of the alleged violation of the NDA.

ANSWER:

INTERROGATORY NO. 11: Describe all product equipment that You owned at the time of the NDA that was to be sold in the alleged asset purchase agreement.

ANSWER:

INTERROGATORY NO. 12: Describe in detail any disclosure of production equipment, ingredient inventory, formulas, or financial information that You made without an NDA from 2015 to present, including but not limited to the type of document, what information was disclosed, and to whom it was disclosed.

ANSWER:

INTERROGATORY NO. 13: Identify all persons who provided the knowledge, documents, or information to You as alleged in paragraphs 28 and 29 of Your Complaint filed on July 31, 2019 (the "Complaint").

ANSWER:

INTERROGATORY NO. 14: Describe in detail the economic value of Radagast's intellectual property as alleged in paragraph 39 of the Complaint.

ANSWER:

INTERROGATORY NO. 15: Identify all vendors used by Radagast in developing, producing and manufacturing Rad Cat Raw Diet from 2017 to present.

ANSWER:

INTERROGATORY NO. 16: Identify all persons who provided the knowledge, documents, or information used, reviewed, or referenced in answering these interrogatories.

ANSWER:

INTERROGATORY NO. 17: Describe any communications with federal or state feed control agencies regarding product compliances or product quality issues.

ANSWER:

INTERROGATORY NO. 18: Describe Radagast's standard operating procedures (SOPs), flow diagrams of the manufacturing process and SOPs for handling of any meats after high pressure sterilization, including any communications with federal or state feed control agencies on the same.

ANSWER:

INTERROGATORY NO. 19: Describe Radagast's hazard analysis critical control points (HACCP) and validation of critical control points and control points, including any communications with federal or state feed control agencies on the same.

ANSWER:

INTERROGATORY NO. 20: Describe Radagast's product quality testing, lab analysis of nutrients, and lab analysis of pathogens yeast and mold, including any communications with federal or state feed control agencies on the same.

ANSWER:

INTERROGATORY NO. 21: Describe Radagast's use of natural animal proteins being natural, free range, cage free, and hormone and antibiotic free, including any communications with federal or state feed control agencies on the same.

ANSWER:

INTERROGATORY NO. 22: Describe Radagast's sanitation schedules, sanitation programs, and environmental programs, including any communications with federal or state feed control agencies on the same.

ANSWER:

DATED this 26th day of February, 2020.

BITTNER & HAHS, P.C.

By: 

Eric S. Postma, OSB #993478
Nathan B. Pogue, OSB #164611
Of Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of February, 2020, I served the foregoing
DEFENDANTS' FIRST INTERROGATORIES TO PLAINTIFF on the following
individual:

Elizabeth Tedesco Milesnick, OSB #050933
Idealegal
2240 N. Interstate Avenue, Suite 270
Portland, OR 97227
E: emilesnick@idealegal.com
Of Attorneys for Plaintiff

via electronic mail and U.S. Mail.

DATED this 26th day of February, 2020.

BITTNER & HAHS, P.C.

By: 

Eric S. Postma, OSB #993478
Of Attorneys for Defendants